

## **REMARKS**

As of the 13 November 2009 *Office Action*, Claims 10, 12-15 and 29-32 are pending in the Application, and all are rejected. Examiner and Applicant's counsel held a telephonic interview on 22 January 2010, wherein Examiner noted that the combination of Claims 10, 12 and 13 would be allowable. Applicant thanks Examiner with appreciation for the careful consideration and examination given to the Application.

By the *Response and Amendment*, Applicant accepts the allowability of Claims 10, 12 and 13, and amends Claim 10 in consideration of same. Applicant submits this *Response and Amendment* solely to facilitate prosecution. As such, Applicant reserves the right to present new or additional claims in this Application that have similar or broader scope as originally filed. Applicant also reserves the right to present additional claims in a later-filed continuation application that have similar or broader scope as originally filed. Accordingly, any amendment, argument, or claim cancellation presented during prosecution is not to be construed as abandonment or disclaimer of subject matter.

Accordingly, after entry of this *Response and Amendment*, Claims 10, 14-15 and 29-33 are pending in the Application, and all believed allowed or allowable. No new matter is introduced in this *Response and Amendment*. It is respectfully submitted that the present Application is in condition for allowance for the following reasons.

### **1. Telephonic Interview Summary**

The undersigned thanks the Primary Examiner for the telephonic conference of 22 January 2010 to discuss the Application and the state of the Claims. Applicant concurs with the Primary Examiner's 29 January 2010 *Interview Summary*.

### **2. Rejections Under §§112 and 103**

In the *Office Action*, Claims 29-32 are rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite. The preamble of Claims 29-32 are clarified herein.

Claims 10, 12-14 and 29-32 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over NL 1023142 in view of either U.S. Patent No. 4,789,271 to Sullaway et al. or U.S. Patent No. 6,409,428 to Moog et al. Claims 10, 12, 15 and 29-32 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over NL 1023142 in view of U.S. Patent No.

4,222,683 to Schaloske et al.

Applicant amends Claim 10 with the recitation of Claims 12 and 13 (herein canceled), and submits Claim 10 is patentable over the combination of the cited art. As all remaining pending Claims ultimately depend from Claim 10, it is believed all pending Claims are allowable. New Claim 33 is a re-presentation of original Claim 11, and thus fully supported by the original filing.

**3. Fees**

This *Response and Amendment* is being filed within six months of the *Office Action*, and more specifically in three months. Thus, no extension of time fee payments is believed due.

No additional claim fees are believed due, as the pending total claim count and number independent claims, remains covered under the original filing fee.

Nonetheless, authorization is hereby expressly given to charge any additional fees due via deposit account No. 20-1507.

## **CONCLUSION**

By the present *Response and Amendment*, this Application has been placed in full condition for allowance. Accordingly, Applicant respectfully requests early and favorable action. Should the Examiner have any further questions or reservations, the Examiner is invited to telephone the undersigned Attorney at 404.885.2773.

Respectfully submitted,

**Certificate of Transmission:**

I hereby certify that this correspondence is being submitted by e-filing to the US Patent and Trademark Office in accordance with §1.8 on this date, via the EFS-Web electronic filing system.

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8 February 2010

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